7550643/2023/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department – Surprise check conducted over the Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District on 03/04.06.2016 on the allegations of corrupt practices by the staff – Certain irregularities noticed – Disciplinary proceedings initiated – Inquiry under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 against Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District - Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No.46 **Dated:26.06.2023.**

Read the following:

From the Director General, Anti-Corruption Bureau, AP., Vijayawada,
Lr.Rc.No.64/DES-NNL/2016, dated 30.01.2018.

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ORDER:

It is proposed to hold an inquiry against Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Attention of Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District, is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government.If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules, 1964.

[P.T.O]

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7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri V. Chandra Sekhar, Forest Section Officer, Integrated Check Post, B.V. Palem, Tada Mandal, SPSR Nellore District (through Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri)

Copy to:

The Principal Chief Conservator of Forests & HoFF, A.P., Mangalagiri (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)
SF/SC (Computer No.1401036)

//FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI V. CHANDRA SEKHAR, FOREST SECTION OFFICER, INTEGRATED CHECK POST, B.V. PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

Article of Charge:

That the Government Servant Sri Vasili Chandra Sekhar, Forest Section Officer, Integrated Check Post, Bheemunivaripalem Village, Tada Mandal of SPSR Nellore District by abusing his official position indulged in corrupt Practices of habitually collecting illegal gratification/Mamools (directly & also through unauthorized Private Persons) from the crew of vehicles plying through Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore and thereby gained a pecuniary advantage for themselves and unaccounted cash of Rs.2,220/- was seized from the counter of the outgoing commercial tax check post on 03/4.06.2016, on the date of surprise check.

Thus the Government Servant Sri Vasili Chandra Sekhar by his above mentioned acts has exhibited a lack of devotion to duty, absolute integrity and behaved in a manner or derogatory to the prestige of the Government and thereby he contravened Rule 3(1), 3(2) & 9 (8-A) of A.P. Civil Services (Conduct) Rules, 1964.

B RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI V. CHANDRA SEKHAR, FOREST SECTION OFFICER, INTEGRATED CHECK POST, B.V. PALEM, TADA MANDAL, SPSR NELLORE DISTRICT

That Sri Vasili Chandra Sekhar, Forest Section Officer, Integrated Check Post, Bheemunivaripalem Village, Tada Mandal of SPSR Nellore District worked as Section Officer from 15.08.2015 to 04.06.2016. He is drawing a basic pay of Rs.48.600/-. His date of birth is 14.02.1960. His date of retirement on attaining the age of superannuation is 28.02.2020.

FACTS OF THE SURPRISE CHECK

On credible information that the Government Servant along with the staff of Integrated Check Post, Bheemunivaripalem, Tada Mandal, SPSR Nellore District are collecting 'Mamools' from the crew of vehicles Passing through the Integrated Check Post Bheemunivaripalem, Tada Mandal, SPSR Nellore district and allowing irregular operation of vehicles by violating the rules and regulations, the DSP, ACB, Nellore Range, Nellore along with his staff organized a Surprise Check over Integrated Check Post, Bheemunivaripalem on 03/04.06.2016 between 09.15 PM to 04.30 AM in the presence of six Mediators.

The DSP, ACB formed the following 3 Teams to conduct Surprise Check over the different wings of Integrated Check Post supervision.

1) For Transport Department Wing: Sri T. Prabhakar, DSP, HC 1958 O. Srinivasulu, PC 345 D. Phani Prasad, PC 896 K. Subba Rao and Mediator No. 1 & 2- Team -1.

2) For Incoming Commercial Tax Check Post: Sri N. Siva Kumar Reddy, Inspector, HC 1228 B. Ravindra, PC 410 D. Sudhakar, PC 2306 K. Madhu Sudhana Rao and Mediators No.3 & 4 -Team – 2.

3) For Outgoing Commercial Tax Check Post (All Departments): PC 1989 M. Madhu Sudhana Rao, PC 2004 D. Hari Prasad, and Mediators No. 5 & 6 - Team 3

The above-mentioned 3 teams left 0/0 DSP, ACB, Nellore on 03.06.2016 at 06.30 PM and reached Integrated check Post, BV Palem on 03.06.2016 at 09.05 PM. The DSP instructed the first team which keep surveillance and organize surprise check over the Transport Wing check post, team No.2 to keep surveillance over the Commercial Taxes check post (Incoming) and team No.3 to keep surveillance over Commercial Taxes and other departments i.e. Forest and Mines and Geology check Post (outgoing).

Then team No.3 Proceeded to the Commercial Tax Outgoing check Post and found that the Government servant was found to be on duty together with Sri Amasa Sankaraiah, LDC, Agricultural department, Sri M. Manikumar, ACTO, Smt M. Bhargavi, Sr. Asst at Commercial Tax outgoing Check Post. Unaccounted cash of Rs.2,220/- was seized from the counter table of the outgoing commercial Tax check post and he failed to account for the unaccounted amount.

Three Lorry drivers 1) Sri Chikri Dass 2) Sri Magatala Dushyanth Babu 3) Sri Peeram Mohan stated before the mediators that they had to routinely pay bribes to the officials of outgoing Commercial Tax Check Post. The surprise check team including the mediators noticed that private persons were collecting mamools from the crew of vehicles at the outgoing Commercial Tax Check Post.

[P.T.O]

Thus the Government Servant Sri Vasili Chandra Sekhar by her above mentioned acts has exhibited a lack of devotion to duty, absolute integrity and behaved in a manner or derogatory to the prestige of the Government and thereby he contravened Rule 3(1), 3(2) & 9 (8-A) of APCS (Conduct) Rules, 1964.

Thus departmental proceedings against the Government servant Sri Vasili Chandra Sekhar, Forest Section Officer, Integrated Check Post, Bheemunivaripalem Village, Tada Mandal of SPSR Nellore District.

B RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED :: BY ORDER //

SECTION OFFICER

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI V. CHANDRA SEKHAR, FOREST SECTION OFFICER, INTEGRATED CHECK POST, B.V. PALEM, TADA MANDAL, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED.

1) Attested Photostat copies of the duty Register (Attendance Register) of ICP, B.V. Palem.

It shows that in the shift of 08.00 PM to 08.00 AM on 3/4.06.2016 the Government Servant was found on his duty at ICP, B.V Palem, Tada Mandal and put his signature in the attendance register in token of his attendance.

2) Attested Photostat copies of the Personal Cash Register:

It shows that in the shift of 08.00 PM to 08.00 AM on 3/4.06.2016 the Government Servant along with the staff declared his personal cash when he assumed charge on 03/4.06.2016 (08.00 PM to 08.00 AM and he put his signature in the Personal Cash Register and mentioned the amount against his name.

3) Attested Copy of Duty Chart of officers and staff of integrated check Post B.V. Palem, Tada Mandal, SPSR Nellore district for the month of June, 2016 vide RC.No.7/2017/HC, dated 29.01.2017 issued by Administrative officer, integrated check Post, B.V Palem, Tada Mandal, SPSR Nellore District. As per the duty chart of Commercial Tax outgoing Check Post, it is found that the Government Servant was on his duty together with staff at ICP, B.V Palem, Tada Mandal for the shift duty from 08.00 PM of 03.06.2016 to 08.00 AM of 04.06.2016.

4) Attested Copy of Job Chart of officers and staff of integrated check Post B.V. Palem, Tada Mandal, SPSR Nellore district vide RC.No.7/2017/HC, dated 29.01.2017 issued by Administrative officer, integrated check Post, B.V Palem, Tada Mandal, SPSR Nellore District

On verification of this, it is noticed the job chart of the Government Servant is 1) Document verification of both incoming and outgoing vehicles, Assistance to Dy. Commercial Tax Officer in physical verification work as per the duty chart, Penalization of detained vehicles, Discharge duties as per the duty chart issued by the Administrative officer, ICP.

5) Circular Memo No.9/15153/V3/1998 Dated: 15.02.2007 of O/o. The Transport Commissioner, Hyderabad.

It reveals that All the District Officers are directed to ensure that no private individual functions in Government Check Posts/Transport Department offices in the state and that if such an instance comes to light, it will be deemed that such private persons are acting as agents to collect the mamools and action will be taken accordingly against the persons responsible.

6) Service Particulars of Government Servant issued by Administrative Officer, Integrated check Post, B.V. Palem, Tada, SPSR Nellore district vide No.28/2016/Hc, dated 16.06.2016

7) Rough Sketch of Scene of Offence, Dated 03/04.06.2016.

8) Surprise Check Proceedings drafted on 03/04.06.2016 for the Surprise Check conducted over the ICP, BV Palem, Tada Mandal, SPSR Nellore District.

Any other document to be filed at the time of enquiry.

B RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI V. CHANDRA SEKHAR, FOREST SECTION OFFICER, INTEGRATED CHECK POST, B.V. PALEM, TADA MANDAL, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED.

1) Sri Madda Veerabraham S/o Kotaiah, Age: 54 Years, Occ: Extension Officer Panchayat Raj & Rural Development, O/o: Mandala Praja Parishat, Chittamuru (V&M), SPSR Nellore District R/o: D.No.7-83, Ambedkar Nagar, Koppolu (V), Ongole (M), Prakasam District (Mediator)

2) Sri Penubala Lavanya Charl S/o Upendrachari, Age: 26 Years, Jr. Asst, 0/0. Executive Engineer, SSLC & SB Division No-1, Dargamitta, Nellore R/o: Adhurpalli (V), Sanayapelm (Post), Rapur (M), SPSR Nellore District (Mediator) Mediators speak about the surprise check conducted over the ICP, B.V. Palem on 03/04.06.2016 by the ACB Officials, in their presence.

3) Statement of Sri ChikriDass S/o Late Adaiah, Age: 50 Years, Caste: SC- Mala, Occ: Driver, R/o: Peddapadugupadu Village, Kovuru Mandal, SPSR Nellore District, Driver of Lorry bearing No. AP 26 TB 0909.

He has been working as a driver of a Lorry for 30 years and now working as a driver of a Lorry to the vehicle bearing No AP 26 TB 0909. Today i.e., on 03.06.2016 while he was going to Chennai from Ongole with a load of rice in the vehicle AP 26 TB 0909. while on the way when his vehicle reached I.C.P. B.V. Palem Tada, he went to the staff of the commercial tax check post for verification of records they collected Rs.120/ from him for entering the details in the computer even the records pertaining to his vehicle are in correct and they also collecting from the range of Rs.50 to Rs.150 from other vehicles and etc, facts.

4) Statement of Sri Magatala Dushyanth Babu S/o Venkateswalru, Age: 34 Years, Caste: BC, Occ: Cleaner R/o: D.No.12-182, Sanjeev Nagar, Sullurupeta, SPSR Nellore District, AP., cell: 9704805388, Vehicle No. AP 26 TA 4504

He stated that he has been working as a driver of a Lorry for 10 years and now working as a driver of a Lorry to the vehicle bearing No. AP 26 TA 4504 and he used to transport various goods from AP to Chennai. While transporting the goods through the check post of I.C.P. B.V. Palem Tada, the staff of various wings of the check post used to collect mamools from the drivers on the basis of
goods and distance from the range of Rs.50 to Rs.200/. Today i.e. on 3/06/2016 while he was transporting goods in his vehicle with correct bills the staff of the commercial tax wing I.C.P. B.V. Palem Tada collected Rs.200/ from him for stamping on the records and for entering the details in the computer and etc, facts.

5) Statement of Sri Peeram Mohan S/o Subbaiah, Age: 43 Years, Caste: SC,
Occ: Driver, R/o: M. Kota Street, Ulavapadu Village & Mandal, Prakasam District, A.P., Driver of Lorry No. AP 27 3W-0477, cell: 9866257325

He stated that he has been working as a driver of a Lorry for 20 years and now working as a driver of a Lorry to the vehicle bearing No AP 27 3 W- 0477 for 14 years. Through this vehicle, he used to transport coal and paddy. Today while he was transporting Coal from Maharashtra to Gummidipudi of Chennai in his Lorry when his Lorry reached to check post of I.C.P. B.V. Palem Tada, the staff of commercial tax check post collected an amount of Rs.100/for entering the details in computer and Rs.20/ for stamping on the records from him even he has all records pertaining to his vehicle and etc, facts

6) Sri. N. Siva Kumar Reddy, the then Inspector of Police, ACB, Nellore Range, Nellore.

[P.T.O]

He stated about the surprise check conducted over the ICP, B.V. Palem, Tada Mandal on 03/04.06.2016 and assisting the DSP, ACB, Nellore in conducting of surprise check.

7) Sri T. Prabhakar, the then DSP, ACB, Nellore Range, Nellore now retired from service.

He stated about the surprise check conducted over the ICP, B.V. Palem on 03/04.06.2016 and subsequent enquiries and submitting of report etc.

8) Sri G. Venu, Inspector of Police, ACB, Nellore Range, Nellore. He submitted of Draft Articles of Charges, facts etc.

Any other witness to be mentioned at the time of enquiry.

B RAJ SEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED :: BY ORDER //

SECTION OFFICER